

1 District Judge Jamal N. Whitehead
2
3
4
5
6

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 PLAINTIFF PACITO; PLAINTIFF ESTHER;
8 PLAINTIFF JOSEPHINE; PLAINTIFF
9 SARA; PLAINTIFF ALYAS; PLAINTIFF
10 MARCOS; PLAINTIFF AHMED;
11 PLAINTIFF RACHEL; PLAINTIFF ALI;
12 HIAS, INC.; CHURCH WORLD SERVICE,
13 INC.; and LUTHERAN COMMUNITY
14 SERVICES NORTHWEST,

CASE NO. 2:25-cv-255-JNW

**JOINT SUBMISSION REGARDING
DEFENDANTS' DAY SEVEN
COMPLIANCE FEASIBILITY
CONCERNS**

15 *Plaintiffs,*

16 v.
17 DONALD J. TRUMP, in his official capacity
18 as President of the United States, MARCO
19 RUBIO, in his official capacity as Secretary of
20 State, KRISTI NOEM, in her official capacity
21 as Secretary of Homeland Security;
22 DOROTHY A. FINK, in her official capacity
23 as Acting Secretary of Health and Human
24 Services,

Defendants.

JOINT REPORT

No. 2:25-cv-00255-JNW

U.S. Department of Justice
Civil Division, Office of Immigration Litigation
P.O. Box 878, Ben Franklin Station
Washington, DC 20044
(202) 616-4111

1 || **Defendants' Submission:**

2 On Thursday, May 8, 2025, the Parties met and conferred to discuss the Government's
 3 feasibility concerns as related to Day Seven Compliance Measures. The Government then drafted in
 4 writing its concerns and shared with Plaintiffs on Thursday afternoon as a first step towards reaching
 5 agreement on modified compliance measures. For each of the Day Seven Compliance Measures for
 6 which the Government has feasibility concerns, the Government identified in its draft shared with
 7 Plaintiffs: (a) the specific compliance measures at issue, (b) the precise operational constraints
 8 preventing compliance, and (c) proposed alternative compliance measures.

9 On Friday, May 9, 2025, the Ninth Circuit Court of Appeals granted Defendant's Motion to
 10 Amend or Further Clarify its March 25, 2025 partial stay of this Court's first preliminary injunction.
 11 The Ninth Circuit explained that the limited carveout from the stay "should be interpreted narrowly,
 12 on a case-by-case basis, to apply to individuals with a strong reliance interest arising prior to January
 13 20, 2025, comparable to Plaintiff Pacito." *Pacito v. Trump*, No. 25-1313 Dkt. Entry 64.1 (9th Cir.
 14 2025). Defendants adjusted their submission to Plaintiffs reflect the Ninth Circuit's May 9th order.

15 **Plaintiffs' Submission:**

16 Defendants do not identify actual feasibility concerns based on operational constraints that
 17 require relief from the measures ordered by the Court—but instead use this process to announce the
 18 limited compliance efforts they are willing to undertake. Despite the court's admonitions, Defendants
 19 continue to "approach[] the task at hand with one arm behind its back," May 1, 2025 Hrg. Tr. At 35:22-
 20 23, instead of promptly taking steps entirely within their control to comply with the preliminary
 21 injunctions.

22 The Court has made clear that Defendants are required to continue processing the full cohort
 23 of injunction-protected refugees. Disregarding this instruction, Defendants continue to hew to their
 24 JOINT REPORT

1 invented two-week cut-off and have only taken steps to resume processing for a small group of 160
 2 refugees. This is not due to specific operational constraints but rather to Defendants' decision to only
 3 process a limited number of refugees and continue to suspend the bulk of the resettlement
 4 infrastructure. This approach does not comply with the Court's order.

5 Plaintiffs do not believe that the Ninth Circuit's most recent order clarifying the scope of its
 6 stay, *Pacito v. Trump*, No. 25-1313, Dkt. No. 64.1 (9th Cir. May 9, 2025), alters Defendants'
 7 obligations under the Court's Compliance Framework Order, Dkt. No. 119. All refugees with travel
 8 booked before January 20 had a strong reliance interest in their upcoming travel. Many of these
 9 refugees had waited years for resettlement, and had organized their entire lives around their upcoming
 10 travel, including moving, selling belongings, and leaving employment. Defendants, who have no
 11 contact with refugee applicants between their conditional approval and travel, should not be permitted
 12 to be the arbiter of which refugees had a sufficiently strong reliance interest to fall under the Ninth
 13 Circuit's carveout from the stay of the first preliminary injunction. This Court is responsible for
 14 interpreting and enforcing the Ninth Circuit's order, and nothing in the order indicates otherwise.
 15 Plaintiffs request that the Court reject Defendants' proposal of an alternate plan for renewing
 16 clearances only for the refugees who Defendants themselves deem to have had a strong reliance
 17 interest arising prior to January 20.

18 DAY SEVEN COMPLIANCE MEASURES

19 a. **Provide an update to Plaintiffs regarding the status of each individual plaintiff's case;**
 20 **and for each individual plaintiff who qualifies as an Injunction-Protected Refugee,**
 21 **identify any remaining processing steps that must be taken before they can travel to the**
United States.

22 Defendants' Submission:

23 No feasibility concerns.

24 JOINT REPORT

No. 2:24-cv-00255-JNW

U.S. Department of Justice
 Civil Division, Office of Immigration Litigation
 P.O. Box 878, Ben Franklin Station
 Washington, DC 20044
 (202) 616-4111

1 Plaintiffs' Submission:

2 No response.

3 b. **Instruct agency offices and staff, including U.S. embassies, to resume processing the cases
4 of Injunction-Protected Refugees. Defendants must advise all government offices and
5 officials involved in processing refugee applications abroad that Defendants and their
6 agents are enjoined from implementing any suspension of processing, travel, admissions,
7 and domestic resettlement support for Injunction-Protected Refugees.**

8 Defendants' Submission:

9 No feasibility concerns as applied to those individuals who, in accordance with the
10 Ninth Circuit's May 9, 2025 Order granting in part Defendants' Motion to Amend Order
11 Granting a Stay, or, in the Alternative, for Clarification ("May 9 Order"), had a strong reliance
12 interest arising prior to January 20, 2025, as assessed on a case-by-case basis.

13 The State Department requires all refugees to travel with arrangements made by IOM
14 or, in exceptional and extremely limited circumstances, travel booked by a U.S. government
15 entity. This applies to follow-to-join refugee (FTJ-R) beneficiaries as well. *See* 9 FAM 203.6-
16 15(a) ("All [FTJ-R] beneficiaries must travel to the United States under IOM's auspices; they
17 may not make their own separate travel arrangements."). Although the U.S. government briefly
18 made an exception to this policy in March 2025 during the course of this suit because IOM
19 was unable to schedule travel at the time, based on policy and practice, the Government
20 reasonably concludes that no refugees had travel plans on or before January 20, 2025, that
21 "was self-arranged." And the Government is not aware of any other "USRAP instrumentality"
22 that arranges travel for refugees besides IOM.

23 Plaintiffs' Submission:

24 Defendants note in conjunction with this measure that they have rescinded the self-
25 travel option for follow-to-join refugees that they previously created to comply with the first
JOINT REPORT

1 preliminary injunction. Defendants should use the tools they have at hand to ensure compliance
 2 with the injunction and continue to permit a self-travel option for follow-to-join refugees that
 3 are able to coordinate and afford independent travel. *See Dkt. 119 at 9* (requiring Defendants
 4 to “restart production of travel documents” for injunction-protected follow-to-join refugees by
 5 May 19).¹

6 **c. Confirm to the Court that the suspension on admission of Injunction-Protected Refugees
 7 has been lifted such that there is no impediment to Injunction-Protected Follow-to-Join
 Refugees with travel documents traveling to the United States and seeking admission.**

8 Defendants’ Submission:

9 No feasibility concerns with confirming to the Court that the suspension on admission
 10 has been lifted for individuals who, in accordance with the Ninth Circuit’s May 9 Order, had
 11 a strong reliance interest arising prior to January 20, 2025, as assessed on a case-by-case basis.
 12 However, remaining impediments include:

13 1) The NVC security checks for all Injunction-Protected Refugee—including FTJ-
 14 Rs—have lapsed and will need to be redone before new travel documents may be
 15 issued. This expiration is due to issues with recurrent vetting unrelated to the pause of
 16 the USRAP consistent with E.O. 14163. NVC security checks are currently only valid
 17 for 30 days from the time security checks are requested.

20 ¹ Defendants claim that refugees may only in “exceptional and extremely limited circumstances” travel with
 21 arrangements “booked by a U.S. government entity” (instead of IOM). But the U.S. government has just made
 22 plans to charter a government plane to transport 54 Afrikaner refugees to the U.S. this Sunday—all of whom
 23 were approved for refugee status in the months while the injunction-protected refugees’ cases stalled. *See Zolan
 Kanno-Youngs, et al., Trump Officials Seek to Bring First White Afrikaners to U.S. as Refugees Next Week, NY
 Times (May 9, 2025)*, available at <https://www.nytimes.com/2025/05/09/world/africa/trump-afrikaner-refugees.html>.

24 JOINT REPORT

No. 2:24-cv-00255-JNW

U.S. Department of Justice
 Civil Division, Office of Immigration Litigation
 P.O. Box 878, Ben Franklin Station
 Washington, DC 20044
 (202) 616-4111

1 2) The medical examinations for some Injunction-Protected FTJ-Rs have expired and
2 will need to be redone before new travel documents may be issued. Medical
3 examinations are typically valid for six months.

4 3) Longstanding State Department policy requires FTJ-Rs to travel with flights
5 arranged by IOM. *See* 9 FAM 203.6-15(a). Self-travel is not an option for refugee
6 applicants, including FTJ-Rs. Previous self-travel for FTJ-Rs in March 2025 was
7 conducted as an exception to this policy and only because, at that time, IOM was unable
8 to schedule refugee applicants' travel.

9 Plaintiffs' Submission:

10 The impediment cited by Defendants is a change in the validity period for the NVC
11 security check that post-dates the executive order: these checks that were previously valid for
12 36 months are now, according to Defendants, valid for only 30 days. Notwithstanding this
13 new development, which has resulted in all injunction-protected refugees needing at least one
14 security clearance to be redone, these checks are a routine component of the refugee vetting
15 process that do not on their own pose an obstacle to Defendants' prompt compliance with the
16 Court's orders. Indeed, Defendants state that the vetting agencies are returning most NVC
17 security checks results within about a week. Defendants, however, have only requested new
18 NVC checks for a small handful of injunction-protected refugees, based on their decision to
19 resume processing only for individuals who they unilaterally deem to fall within the scope of
20 the injunction.

21
22
23
24 JOINT REPORT

No. 2:24-cv-00255-JNW

U.S. Department of Justice
Civil Division, Office of Immigration Litigation
P.O. Box 878, Ben Franklin Station
Washington, DC 20044
(202) 616-4111

1 d. To the extent necessary to process, admit, and provide resettlement support to
 2 Injunction-Protected Refugees, issue notices lifting the suspension of USRAP cooperative
 3 agreements for operating Resettlement Support Centers (“RSCs”), including, but not
 4 limited to, Plaintiffs CWS and HIAS.

5 Defendants' Submission:

6 No feasibility concerns, as the cooperative agreements for RSCs Eurasia, Latin
 7 America, and Middle East and North Africa (MENA), which are all operated by IOM, were
 8 never terminated and are not currently suspended. Additionally, the cooperative agreement for
 9 RSC Africa, operated by CWS, was never terminated and is not suspended. PRM will lift the
 10 suspensions on cooperative agreements for RSC Asia and RSC Austria but only “[t]o the extent
 11 necessary to process” individuals who, in accordance with the Ninth Circuit’s May 9 Order,
 12 had a strong reliance interest arising prior to January 20, 2025, as assessed on a case-by-case
 13 basis. PRM understands that the organization that previously operated RSC Turkey and the
 14 Middle East (TuME) is no longer operational, and they have not agreed to the terms of
 15 reinstatement as of the date of this report. There is no need to unsuspend that cooperative
 16 agreement, as the functions necessary to process individuals who, in accordance with the Ninth
 17 Circuit’s May 9 Order, had a strong reliance interest arising prior to January 20, 2025, as
 18 assessed on a case-by-case basis, can be performed by another RSC. PRM is considering which
 19 RSCs may provide support to any such individuals previously supported by RSC TuME.

20 Plaintiffs' Submission:

21 No response.

22 JOINT REPORT

23
24 No. 2:24-cv-00255-JNW

U.S. Department of Justice
 Civil Division, Office of Immigration Litigation
 P.O. Box 878, Ben Franklin Station
 Washington, DC 20044
 (202) 616-4111

1 e. Reinstate resettlement partner access, including for CWS and HIAS, to the START,
 2 FileCloud, RPC Help Desk (ITSM), and any other databases or technologies necessary
 3 to facilitate refugee application processing and travel. This includes ensuring that
 4 funding is restored for any necessary databases and technology maintained by
 5 resettlement partners, such as the IRIS beneficiary data repository.

6 Defendants' Submission:

7 No feasibility concern, but, as a matter of policy, and consistent with user agreements,
 8 PRM does not provide access to USRAP systems to entities without a need to know that
 9 information. To limit user access to only what is necessary for official duties, to protect the
 10 integrity of the USRAP, and to reduce the risk of unauthorized disclosure of sensitive
 11 information during the suspension of USRAP operations, PRM limited access to USRAP
 12 applications and IT systems, including START, FileCloud, and the Help Desk (ITSM).

13 Some RSC staff already have had access restored, and PRM will contact RSCs for a
 14 list of names of additional RSC staff who need access to PRM-owned-and-operated IT systems
 15 to process individuals who, in accordance with the Ninth Circuit's May 9 Order, had a strong
 16 reliance interest arising prior to January 20, 2025, as assessed on a case-by-case basis. Upon
 17 receipt of these names, PRM will restore the needed access. PRM will endeavor to restore
 18 access within 3 days of receiving the names of individuals who need access.

19 Plaintiffs' Submission:

20 It is unclear whether Defendants plan to have reinstated resettlement partner access to
 21 necessary USRAP systems by the compliance deadline. Defendants state that some RSC staff
 22 at IOM and CWS—who operate the supposedly active RSCs—have already had access
 23 restored to necessary USRAP systems. However, it is unclear how many staff have had access
 24 reinstated, and to what databases—and whether the level of access restored is sufficient to
 25 resume processing. For instance, organizational Plaintiff CWS has an initial list prepared of

JOINT REPORT

U.S. Department of Justice
 Civil Division, Office of Immigration Litigation
 P.O. Box 878, Ben Franklin Station
 Washington, DC 20044
 (202) 616-4111

1 RSC Africa staff who require access, but the government has not yet requested this list from
 2 CWS. This, along with the lack of any guidance from PRM regarding resumption of
 3 processing, means that RSC Africa is not currently able to process any cases, despite
 4 Defendants representation that the RSC is operational.

5 **f. Take immediate steps to facilitate travel and admissions for Injunction-Protected
 6 Refugees whose clearances, including medical and security authorizations, have not yet
 7 lapsed. Provide reporting to the Court (in accordance with the reporting timeline
 8 outlined below—i.e., three days after the deadline for compliance) regarding the total
 number of these individuals and the timeline for their admission. Given that the
 Government has already begun to admit some Injunction-Protected Refugees, such
 admissions should proceed immediately and with haste.**

9 Defendants' Submission:

10 No feasibility concern, but there are no Injunction-Protected Refugees whose NVC
 11 security checks have not lapsed. Due to issues with recurrent vetting unrelated to the pause of
 12 the USRAP consistent with E.O. 14163, NVC security checks are currently only valid for 30
 13 days from the time security checks are requested. Therefore, PRM-initiated NVC security
 14 checks for all individuals who, in accordance with the Ninth Circuit's May 9 Order, had a
 15 strong reliance interest arising prior to January 20, 2025, as assessed on a case-by-case basis,
 16 have lapsed and will need to be re-requested (and run by agency partners) before travel can be
 17 scheduled by IOM. Additionally, the Government will need to assess which individuals had a
 18 strong reliance interest arising prior to January 20, 2025, as assessed on a case-by-case basis,
 19 in accordance with the Ninth Circuit's May 9 Order.

20 Plaintiffs' Submission:

21 As discussed above in response to measure 1.C, rerunning NVC security checks is a
 22 routine process and should not represent a significant barrier to resuming travel and admissions
 23 for injunction-protected refugees who are otherwise travel ready. Notably, Defendants have
 24

JOINT REPORT

No. 2:24-cv-00255-JNW

U.S. Department of Justice
 Civil Division, Office of Immigration Litigation
 P.O. Box 878, Ben Franklin Station
 Washington, DC 20044
 (202) 616-4111

1 opted to limit the universe of individuals for whom they have re-requested the security checks
 2 to the group of 160 to whom they wished to restrict application of the injunction, rather than,
 3 for example, all injunction-protected refugees with still-valid medical clearances who would
 4 be otherwise travel-ready. Further delay with respect to resuming processing as to this group
 5 will only lead to compounding delays, as these refugees may have medical and other clearances
 6 expire in the meantime.

7 **g. Develop a comprehensive plan, including a detailed timeline, to renew the travel**
 8 **clearances, including security and medical authorizations, of all Injunction-Protected**
 9 **Refugees whose clearances have lapsed since January 20. This comprehensive plan may**
 10 **include a combination of measures, including: extending existing clearances where**
 11 **possible; arranging new screening appointments where formal extensions are not**
 12 **possible; authorizing applicants to arrange their own medical screenings; and facilitating**
 13 **expedited treatment from security vetting agencies. The Government must submit this**
 14 **plan to the Court in accordance with the reporting timeline outlined below (i.e., three**
 15 **days after the deadline for compliance).**

16 Defendants' Submission:

17 No feasibility concerns with developing a comprehensive plan to identify individuals
 18 who, in accordance with the Ninth Circuit's May 9 Order, had a strong reliance interest arising
 19 prior to January 20, 2025, starting with conducting a case-by-case review of the 160 refugees
 20 who were scheduled to travel in the first two weeks after January 20, 2025. Of these 160
 21 refugees, 11 have already been admitted as refugees as part of the Afghan cohort previously
 22 referenced in court filings, and 13 more are ready for departure and scheduled for travel next
 23 week, leaving 136 individuals who were scheduled to travel in the first two weeks after January
 24 20, 2025. Additionally, there are some number of individuals in this cohort of 160 who have
 25 since arrived in the United States through pathways other than IOM-facilitated USRAP travel.

26 Of those remaining in the cohort of 160 who, in accordance with the Ninth Circuit's
 27 May 9 Order, had a strong reliance interest arising prior to January 20, 2025, as determined by

28 JOINT REPORT

No. 2:24-cv-00255-JNW

U.S. Department of Justice
 Civil Division, Office of Immigration Litigation
 P.O. Box 878, Ben Franklin Station
 Washington, DC 20044
 (202) 616-4111

1 a case-by-case analysis, 71 refugees still have valid medical examinations. For those who fall
2 within the scope of the Ninth Circuit’s May 9 Order with expired medical exams, PRM is
3 consulting with CDC to determine whether the validity of the medical exam can be extended.
4 For those whose validity cannot be extended, PRM is working with IOM to schedule them for
5 a new medical exam expeditiously. Scheduling a new medical examination and obtaining the
6 results can take approximately four to six weeks.

7 Additionally, PRM has re-requested new NVC security checks for all of the remaining
8 refugees of the 160 who have not yet traveled or are not travel ready. Currently, vetting security
9 agencies (VSAs) are returning some NVC security check responses within approximately one
10 week. However, the circumstances for each case are different—some security checks take
11 much longer if derogatory or conflicting information is uncovered.

12 It has historically taken approximately 4 weeks for refugees to be allocated and then
13 assured to domestic resettlement partners. However, it is likely that some of the individuals
14 who, in accordance with the Ninth Circuit’s May 9 Order, had a strong reliance interest arising
15 prior to January 20, 2025, as assessed on a case-by-case basis, had been assured to resettlement
16 agencies that are no longer immediately functional, and it will take time to reassess where these
17 individuals can be placed. Additionally, some of the individuals who, in accordance with the
18 Ninth Circuit’s May 9 Order, had a strong reliance interest arising prior to January 20, 2025,
19 as assessed on a case-by-case basis, may have been assured to private sponsor groups, and
20 those sponsors would need to be contacted to determine whether they are still willing to provide

21
22
23
24 JOINT REPORT

No. 2:24-cv-00255-JNW

U.S. Department of Justice
Civil Division, Office of Immigration Litigation
P.O. Box 878, Ben Franklin Station
Washington, DC 20044
(202) 616-4111

1 support to the refugees.² In addition, Section 412 of the INA, 8 USC 1522(a)(2)(A), requires
 2 HHS/ORR and State to consult at least quarterly with state and local governments regarding
 3 the intended distribution of refugees among the states and localities. This consultation may
 4 need to occur before resettlement of individuals who, in accordance with the Ninth Circuit's
 5 May 9 Order, had a strong reliance interest arising prior to January 20, 2025, as assessed on a
 6 case-by-case basis.

7 USCIS is reviewing the universe of individuals who, in accordance with the Ninth
 8 Circuit's May 9 Order, had a strong reliance interest arising prior to January 20, 2025, as
 9 assessed on a case-by-case basis, and evaluating who needs a new biometric check. USCIS
 10 will likely have identified all individuals in need of a new biometric check by Monday, May
 11 12. Biometric check results are typically returned within a few days. Once the biometric
 12 security check, NVC security check, and medical clearance are valid for a case and the case
 13 has received a domestic placement, PRM will work with IOM to schedule the case for travel.
 14 It can take approximately 6 weeks to secure exit permits (depending on the location),
 15 coordinate with refugees on departure dates, book travel, and transport refugees to transit
 16 centers prior to departure. It is likely that many of the exit permits (the duration of which varies
 17 by country) of individuals who, in accordance with the Ninth Circuit's May 9 Order, had a
 18 strong reliance interest arising prior to January 20, 2025, as assessed on a case-by-case basis,
 19 have expired, and some of the refugees' circumstances may have changed (i.e., some may have
 20
 21

22 ² Due to the deadline for filing this submission and the time the Ninth Circuit's May 9 Order was issued, the Government
 23 has not yet been able to identify which individuals had a strong reliance interest arising prior to January 20, 2025, and
 whether those individuals were assured to private sponsor groups.

24 JOINT REPORT

No. 2:24-cv-00255-JNW

U.S. Department of Justice
 Civil Division, Office of Immigration Litigation
 P.O. Box 878, Ben Franklin Station
 Washington, DC 20044
 (202) 616-4111

1 had children, got married, moved, etc.), complicating travel rescheduling. Finally, once a case
 2 is arranged for travel, prior to departure, USCIS will run a just-in-time TECS/NCIC check.

3 Plaintiffs' Submission:

4 Defendants state that they do not plan to develop a comprehensive plan for renewing
 5 the security clearances and medical checks for the approximately 12,000 possible injunction-
 6 protected refugees. But Defendants identify no “precise operational constraint” that prevents
 7 them from designing and proposing the plan ordered by the Court. Rather, Defendants propose
 8 that they will instead submit a significantly more limited plan involving a case-by-case review
 9 of 160 cases—1% of the total estimated protected population—with no indication of any plan
 10 or timeline to review the remainder of the injunction-protected cases.

11 Defendants have maintained to the Court that this cohort of 160 refugees has strong
 12 reliance interests, May 1, 2025 Hrg. Tr. At 5-6:24-25; 1-6, and it is unclear why further
 13 evaluation of this group is necessary to renew clearances. In any event, Defendants should not
 14 be permitted to be the case-by-case arbiters of which refugees fall within the Ninth Circuit’s
 15 carveout. Plaintiffs request that the Court reject Defendants’ attempt to redefine their
 16 obligation under this compliance measure and continue to require Defendants to develop a
 17 comprehensive plan for all injunction-protected refugees.

18 Defendants suggest that one barrier to getting refugees travel-ready is assurances, as
 19 Defendants represent that it takes approximately 4 weeks for refugees to be allocated and then
 20 assured to resettlement agencies. But the injunction-protected refugees are already allocated
 21 and assured to resettlement agencies, so this step should not pose a month-long delay in
 22 resettlement.

23 JOINT REPORT

24 No. 2:24-cv-00255-JNW

U.S. Department of Justice
 Civil Division, Office of Immigration Litigation
 P.O. Box 878, Ben Franklin Station
 Washington, DC 20044
 (202) 616-4111

1 Defendants' expressed concern about resettlement agencies that are "no longer
 2 immediately functional" is a slippery attempt to avoid recognizing a self-imposed constraint.
 3 As a threshold matter, Defendants have not contacted resettlement agencies to assess their
 4 capacity to resettle the injunction-protected cases that were assigned to them.³ Instead,
 5 Defendants shared with Plaintiffs that they still plan to reinstate only one resettlement agency
 6 to provide R&P services for the entire cohort, rather than utilizing the existing reception &
 7 placement infrastructure, which would allow most refugees to be resettled by the agencies that
 8 have already assured them. This plan to re-allocate all injunction-protected refugees' cases
 9 would necessarily limit the pace and scale of processing and admissions because no single
 10 resettlement agency can possibly do the work that was previously accomplished by ten.
 11 Further, no single resettlement agency has the size or geographic scope to be able to provide
 12 for resettlement support across the country and ensure that refugees are resettled near any
 13 family ties, as contemplated by the Refugee Act.

14 Defendants also represent that they must consult with state and local government before
 15 "large-scale resettlement" of injunction-protected refugees occurs. Injunction-protected
 16 refugees were already allocated to local domestic resettlement agencies and were on the verge
 17 of travel and thus their geographic distribution presumably has already been accounted for in
 18 past consultations. Further, resettlement agencies have continued participating in quarterly
 19 consultations with state and local governments and stakeholders about refugee placement.

22
 23 ³ Organizational Plaintiffs CWS and HIAS remain ready to receive the cases previously assured to them, subject
 24 to reassignment within their own networks as needed.

JOINT REPORT

U.S. Department of Justice
 Civil Division, Office of Immigration Litigation
 P.O. Box 878, Ben Franklin Station
 Washington, DC 20044
 (202) 616-4111

These recurring consultations are an ordinary part of the resettlement process and should not be invoked as an exceptional circumstance to delay compliance with the orders.

DATED this 9th day of May, 2025.

Respectfully submitted,

YAAKOV M. ROTH
Acting Assistant Attorney General
Civil Division

DREW ENSIGN
Deputy Assistant Attorney General

/s/ David Kim
DAVID KIM
(IL Bar No. 6318223)
Senior Litigation Counsel
U.S. Department of Justice
Civil Division, Office of Immigration Litigation
Washington, D.C. 20005
Phone: (202) 598-0114
Email: david.kim4@usdoj.gov

ALEXANDRA YEATTS
JOSEPH MCCARTER
JASON ZUBATA
LINDSAY ZIMLIKI
Trial Attorneys

Attorneys for Defendants

JOINT REPORT

U.S. Department of Justice
Civil Division, Office of Immigration Litigation
P.O. Box 878, Ben Franklin Station
Washington, DC 20044
(202) 616-4111

1 Deepa Alagesan*
 2 Mevlüde Akay Alp*
 3 Linda Evarts*
 4 Ghita Schwarz*
International Refugee Assistance Project
 One Battery Park Plaza, 33rd Floor
 New York, New York 10004
 Telephone: (646) 939-9169
 Facsimile: (516) 324-2267
 dalagesan@refugeerights.org
 makayalp@refugeerights.org
 levarts@refugeerights.org
 gschwarz@refugeerights.org

8 Melissa Keaney*
International Refugee Assistance Project
 9 P.O. Box 2291
 Fair Oaks, California 95628
 10 Telephone: (646) 939-9169
 mkeaney@refugeerights.org

11 Laurie Ball Cooper*
 12 Megan Hauptman*
International Refugee Assistance Project
 13 650 Massachusetts Ave. NW
 Washington, D.C. 20001
 14 Telephone: (646) 939-9169
 lballcooper@refugeerights.org
 mhauptman@refugeerights.org

Harry H. Schneider, Jr., WSBA No. 9404
 Jonathan P. Hawley, WSBA No. 56297
 Shireen Lankarani, WSBA No. 61792
 Esmé L. Aston, WSBA No. 62545
Perkins Coie LLP
 1201 Third Avenue, Suite 4900
 Seattle, Washington 98101
 Telephone: (206) 359-8000
 Facsimile: (206) 359-9000
 HSchneider@perkinscoie.com
 JHawley@perkinscoie.com
 SLankarani@perkinscoie.com
 EAston@perkinscoie.com

John M. Devaney*
Perkins Coie LLP
 700 Thirteenth Street NW, Suite 800
 Washington, D.C. 20005
 Telephone: (202) 654-6200
 Facsimile: (202) 654-6211
 JDevaney@perkinscoie.com

Joel W. Nomkin*
Perkins Coie LLP
 2525 East Camelback Road, Suite 500
 Phoenix, Arizona 85016
 Telephone: (602) 351-8000
 Facsimile: (602) 648-7000
 JNomkin@perkinscoie.com

Nicholas J. Surprise*
PERKINS COIE LLP
 33 East Main Street, Suite 201
 Madison, Wisconsin 53703
 Telephone: (608) 663-7460
 Facsimile: (608) 663-7499
 NSurprise@perkinscoie.com

20 *Counsel for Plaintiffs*

21 * *Admitted pro hac vice*

23 JOINT REPORT

24 No. 2:24-cv-00255-JNW

U.S. Department of Justice
 Civil Division, Office of Immigration Litigation
 P.O. Box 878, Ben Franklin Station
 Washington, DC 20044
 (202) 616-4111